

DEC 13 2005

400 Garden City Plaza - Ste 300
Garden City, New York 11530
(516) 742-4343 - Telephone
(516) 742-4366 - Facsimile
e-mail: intprop@ssmp.com

**SCULLY, SCOTT, MURPHY
& PRESSER**

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To: United States Patent & Trademark Office **From:** Steven Fischman
Attn: Examiner Xiuqin Sun

Fax: 1-571-273-8300 **Pages:** 16 (including fax cover sheet)

Phone: **Date:** December 13, 2005

Re: Jennifer E. Appleyard, et al.
U.S. Patent Appln. No. 10/708,916 **CC:**
Our Docket: BUR920040032US1 (17437)

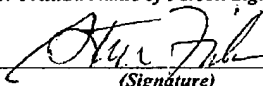
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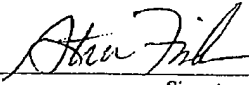
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- **Amendment Transmittal Letter (2)**
- **Amendment and Response Under 37 C.F.R. §1.116**

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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)		Docket No. BUR920040032US1 (17437)	
Applicant(s): Jennifer E. Appleyard, et al.			
Application No. 10/708,916	Filing Date March 31, 2004	Examiner Xiuqin Sun	Group Art Unit 2863
Invention: TEMPERATURE COMPENSATION IN MAXIMUM FREQUENCY MEASUREMENT AND SPEED SORT			
<p>I hereby certify that this <u>Amendment and Response Under 37 C.F.R. Sec. 1.116</u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>571-273-8300</u>)</p> <p>on <u>December 13, 2005</u> <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <p><u>Steven Fischman, Reg. No. 34,594</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p><u></u> <i>(Signature)</i></p> </div>			
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AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. BUR920040032US1 (17437)	
Applicant(s): Jennifer E. Appleyard, et al.						
Application No. 10/708,916	Filing Date March 31, 2004	Examiner Xiuquin Sun	Customer No. 23389	Group Art Unit 2863	Confirmation No. 2915	
Invention: TEMPERATURE COMPENSATION IN MAXIMUM FREQUENCY MEASUREMENT AND SPEED SORT						
COMMISSIONER FOR PATENTS:						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	20 -	20 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	2 -	3 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0456 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.						
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 Signature			Dated: December 13, 2005			
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____ (Date) _____ Signature of Person Mailing Correspondence _____ Typed or Printed Name of Person Mailing Correspondence _____ </div>			
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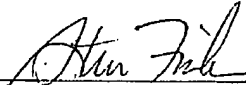
P11LARGE/REV09

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P18/REV02

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AMENDMENT TRANSMITTAL LETTER (Large Entity)					Docket No. BUR920040032US1 (17437)									
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Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00									
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$0.00									
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of _____ <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account 09-0456 <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038.														
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.														
 Signature			Dated: December 13, 2005											
Steven Fischman Registration No. 34,594 SCULLY, SCOTT, MURPHY & PRESSER 400 Garden City Plaza, Suite 300 Garden City, New York 11530 (516) 742-4343			<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</td> </tr> <tr> <td style="width:50%; text-align: center;">(Date)</td> <td style="width:50%;"></td> </tr> <tr> <td colspan="2" style="text-align: center;">Signature of Person Mailing Correspondence</td> </tr> <tr> <td colspan="2" style="text-align: center;">Typed or Printed Name of Person Mailing Correspondence</td> </tr> </table>				I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____		(Date)		Signature of Person Mailing Correspondence		Typed or Printed Name of Person Mailing Correspondence	
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Applicants: Jennifer E. Appleyard et al.**Examiner:** Xiuquin Sun**Serial No.:** 10/708,916**Art Unit:** 2863**Filed:** 3/31/2004**Docket:** BUR920040032US1 (17437)**For:** TEMPERATURE COMPENSATION
IN MAXIMUM FREQUENCY
MEASUREMENT AND SPEED SORT**Conf. No.:** 2915**Dated:** December 13, 2005Mail Stop: AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116**

Sir:

This document is submitted in response to the Final Office Action mailed October 13, 2005. No new matter has been introduced.

CERTIFICATION OF FACSIMILE TRANSMISSION

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Dated: December 13, 2005
Steven Fischman